

Attorney's Docket No.:10559-158001
Appl. No. 09/539,638
Amdt. dated July 22, 2003
Reply to Office Action of May 22, 2003

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Numerous claims stand rejected under 35 USC 112, second paragraph, as allegedly being indefinite. In response, these claims are amended herewith for definiteness. This should obviate the rejection.

Claims 1-30 stand rejected under 35 USC 102(b) as allegedly being anticipated by Yamaguchi. Claims 1, 8, 15, and 21 have been amended to emphasize their patentable distinctions and as such obviate the rejection.

The rejection states that figure 12 of Yamaguchi shows giving transmission priority to different units in the second body according to the amount of detail. However, this contention is respectfully traversed. The description of figure 12 begins mid-way through column 32 of the description. This describes how the coding results in a variable length coding system. Figure 12 shows a two-dimensional matrix form from the transform coefficients. The order of the matrix is an "increasing order of numbers given in measures". This puts the low-frequency transform coefficients first, apparently since they have more numbers than the high frequency transform

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coefficient. According to column 32, this is used for zigzag said scanning.

However, there is absolutely nothing in Yamaguchi which states that, as now required, transmission priority is given to different units in the body of data to provide priority to the units which have more visual impact. It is respectfully suggested that nothing in Yamaguchi teaches or suggests doing anything according to whether there is more or less visual impact. Therefore, each of the claims which define this feature should be allowable over the cited prior art.

The rejection admits that Yamaguchi does not particularly disclose higher transmission priority to lower frequency terms, and takes official notice that such is included within MPEG-2. However, this official notice is respectfully traversed, and it is requested that the patent office cite a reference in support of this position. Specifically, while a result of the MPEG-2 coding is that the lower frequencies will have more effect in certain ways, there is no teaching nor suggestion that these lower frequencies should get higher transmission priority. In fact, it is believed that the MPEG-2 standard does not contemplate that some features get higher transmission priority than other other features. It is respectfully suggested that

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this rejection is therefore based on hindsight and on the teachings of the present specification, not on the prior art.

Each of the dependent claims defines further features which are further patentably distinguished over the cited prior art.


Claim 27 defines an additional feature that the decoder is capable of undoing any adjustment made by the encoder. This feature does not appear to be taught or suggested by Yamaguchi.

In view of the above amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

Please apply any charges or credits to Deposit Account
No. 06-1050.

Respectfully submitted,

Date: 7/22/03



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